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CONF: PCS/PGG INFO: ODPD-D, RF, FILE, PCDORECORD, QA/FILE, DDO-4,
AF-13, EA-37, EUR-30, FR-9, LA-16, NE-28, SE-25, C/CI, C/CPN, C/EPI,
C/EPO, C/IMS, C/PCS, CCS-4, CI/CLFL, CMS, CMS/MS, CMS/PEB, COUNSEL/DO,
CPN/CTG-5, CPN/OCG, CPN/SS, CTG/ISB-3, DDO/TRO, EPS/COMP, IID, IMS/PPB,
INT/RR, LCG/ID, LCG/MIL, OCG/ICB-4, OCG/NIF-4, OCG/PEL-4, OED-4, OGC-3,
PCS/AA, PCS/DPG-2, PCS/STG, STG/TCB, (222/P)

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PAGE 001

TOT: 101540Z APR 85

DIRECTOR 330594

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STAFF 101540Z DIRECTOR 330594

TO: OSSB.

WNINTEL LWWRIT LWLEGAL

SUBJECT: FIELD RELATIONS WITH U.S. MARSHALS SERVICE

1. ALTHOUGH SVMACE HAS MAINTAINED A LIAISON CHANNEL WITH THE U.S. MARSHALS SERVICE (USMS) FOR THE PAST YEAR AT THE HEADQUARTERS LEVEL, THERE HAS ONLY RECENTLY BEEN A DRAMATIC INCREASE IN REQUESTS FROM THE SERVICE FOR PNVALUE FIELD OPERATIONAL ASSISTANCE, PARTICULARLY IN THE AREA OF FUGITIVE APPREHENSION. IT REMAINS SVMACE POLICY TO ASSIST THE SERVICE TO WHATEVER DEGREE POSSIBLE CONSISTENT WITH PROTECTION OF SVMACE SOURCES AND METHODS AND IN WAYS WHICH DO NOT AMOUNT TO CONDUCT OF ACTUAL LAW ENFORCEMENT ACTIVITIES BY PNVALUE PERSONNEL. SO FAR THIS ASSISTANCE HAS IN THE MAIN CONSISTED OF BROKERING INTRODUCTIONS BETWEEN PERSONNEL OF THE MARSHALS SERVICE WITH LOCAL SERVICES HAVING LAW ENFORCEMENT RESPONSIBILITIES, AND ENCOURAGING THOSE SERVICES THROUGH OUR LIAISON CONTACTS TO COLLABORATE WITH THE MARSHALS SERVICE.

2. BEYOND SUCH BROKERING OF INTRODUCTIONS, CONDUCT OF FIELD TRACES, AREA BRIEFINGS, AND OTHER ACTIVITIES OF THAT LEVEL, WHAT WE MAY SEEK TO DO IN RESPONSE TO USMS TASKING MAY WELL COME UNDER THE HEADING OF PNVALUE ASSISTANCE TO LAW ENFORCEMENT AGENCIES AS COVERED BY EXECUTIVE ORDER 12333. DUE TO THAT CONSIDERATION AS WELL AS OTHERS PERTAINING TO C/PNVALUE STATUTORY RESPONSIBILITY FOR PROTECTION OF SOURCES AND METHODS, STATIONS SHOULD REFER TO HEADQUARTERS ANY OTHER REQUESTS FOR SUPPORT TO A PARTICULAR LAW ENFORCEMENT INVESTIGATION. MEANWHILE, STATIONS SHOULD GENERALLY BE GUIDED BY THE PROVISIONS OF HEADQUARTERS REGULATION 7-1 PERTAINING TO ASSISTANCE TO YET ANOTHER LAW ENFORCEMENT AGENCY, THE DRUG ENFORCEMENT ADMINISTRATION. ESSENTIALLY:

A. STATIONS MAY NOT REPEAT NOT UNDERTAKE COLLECTION OF INFORMATION ABOUT U.S. PERSONS OR FOREIGN NATIONALS IN WHOM THERE IS NO VALID INTELLIGENCE INTEREST SOLELY FOR USE IN CRIMINAL PROSECUTION IN THE U.S. WHETHER DIRECTED AT A U.S. PERSON OR FOREIGN NATIONAL. STATIONS, HOWEVER, MAY IN SOME LIMITED CIRCUMSTANCES UNDERTAKE SUCH COLLECTION WITH PRIOR HDQS APPROVAL IF THERE IS A VALID INTELLIGENCE PURPOSE EVEN IF IT SUPPORTS A CRIMINAL INVESTIGATION. FOR INSTANCE, STATIONS MAY SUPPORT THE USMS SEARCH FOR NAZI FUGITIVE JOSEF MENGLE. THERE IS A CLEAR INTELLIGENCE/COUNTERINTELLIGENCE INTEREST IN LOCATING FRANK TERPIL. STATIONS SHOULD ASSIST THE MARSHALS IN THAT EFFORT. HOWEVER, IN BOTH CASES, PLEASE CONTACT HDQS WHEN REQUESTS FOR SUPPORT ARE RECEIVED.

B. PNVALUE MAY PROVIDE TECHNICAL EQUIPMENT FOR OVERSEAS OPERATIONS OF USMS AS APPROVED BY CHIEF, SVMACE. PNVALUE WILL NOT PROVIDE ANY SUPPORT TO USMS DOMESTIC OPERATIONS, EXCEPT THAT PNVALUE

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MAY GIVE TO USMS TECHNICAL BRIEFINGS IN THE U.S. UNRELATED TO ANY
PENDING INVESTIGATION. TECHNICAL EQUIPMENT FOR USMS OPERATIONS
ABROAD MAY BE PROVIDED ONLY UNDER THE FOLLOWING CONDITIONS:

(1) THE EQUIPMENT IS NOT OPERATED BY PNVALUE
PERSONNEL.

(2) THE REQUEST FOR SUPPORT IS ACCOMPANIED BY FULL
EXPLANATION OF THE PLANNED USE OF THE EQUIPMENT AND OF THE AUTHORITY
UNDER WHICH IT WILL BE USED.

(3) THE REQUEST IS APPROVED BY CHIEF, SVMACE WITH
CONCURRENCE OF THE OFFICE OF GENERAL COUNSEL.

3. ANY QUESTIONS ON INTERPRETATION OR APPLICATION OF THE ABOVE
GUIDANCE SHOULD BE ADDRESSED HEADQUARTERS USING THE ☒ ☐ SLUG.

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